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Message Text

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FOR USDEL LOS

FOLLOWING REPEAT OTTAWA 2278 ACTION STATE MAY 3.

QUOTE LIMITED OFFICIAL USE OTTAWA 2278

E.O. 11652: GDS
TAGS: EFIS, CA
SUBJECT: U.S.-CANADIAN INTERIM RECIPROCAL FISHERIES
AGREEMENT

OES FOR NEGROPONTE

REF: OTTAWA 2277

1. FOLLOWING IS TEXT OF NOTE HANDED TO AMBASSADOR BY EXTAFF UNDER SECRETARY GOTLIEB ON MAY 3. ACCOUNT OF MEETING, AND COMMENT, IS CONTAINED REFTEL.

"THE DEPARTMENT OF EXTERNAL AFFAIRS PRESENTS ITS COMPLI-MENTS TO THE EMBASSY OF THE UNITED STATES, AND HAS THE HONOUR TO REFER TO THE EXCHANGE OF NOTES COMPLETED
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APRIL 11 CONSTITUTING AN INTERIM RECIPROCAL FISHERIES AGREEMENT BETWEEN CANADA AND THE U.S.A., TO THE EMBASSY OF CANADA'S NOTE TO THE DEPARTMENT OF STATE OF APRIL 26, 1978 AND TO DISCUSSIONS BETWEEN OFFICIALS OF THE TWO GOVERNMENTS ON APRIL 28 IN WASHINGTON.

"THE GOVERNMENT OF CANADA VIEWS WITH DEEP DISAPPOINTMENT

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THE ACTION OF THE GOVERNMENT OF THE U.S.A. IN INVOKING PARAGRAPH 1(C) OF THE ANNEX TO THE INTERIM RECIPROCAL FISHERIES AGREEMENT WITH RESPECT TO THE LIMITED CANADIAN TROLL FISHERY ON SWIFTSURE BANK, APRIL 15-28. AS EXPRESSED IN THE EMBASSY OF CANADA'S NOTE AND AT THE APRIL 28 MEETING, THE CANADIAN AUTHORITIES WERE PREPARED TO ANNOUNCE THE CLOSURE OF THE SWIFTSURE BANK FISHERY ON APRIL 27, EVEN THOUGH THEY DID NOT CONSIDER THAT A CONSERVATION PROBLEM EXISTS, AS THE IMMATURE SALMON ('SHAKERS') PROBLEM IN THE FISHERY UP TO THAT TIME HAD RESULTED IN SPAWNING ESCAPEMENT LOSSES OF ONLY A FEW HUNDRED FISH. IN VIEW OF THE U.S. ACTION IN INVOKING PARAGRAPH 1(C), THE CANADIAN AUTHORITIES HAVE DECIDED NOT TO CLOSE THE FISHERY ON SWIFTSURE BANK. THE GOVERN-MENT OF CANADA CONTINUES TO VIEW THE SITUATION ON SWIFT-

SURE BANK AS NOT GIVING RISE TO A CONSERVATION PROBLEM, AND IN THE ABSENCE OF ANY COMMUNICATIONS FROM THE U.S. AUTHORITIES SUPPLYING EVIDENCE TO THE CONTRARY, FORMALLY REQUESTS THE GOVERNMENT OF THE UNITED STATES TO RESTORE THE PROVISIONS OF THE AGREEMENT SUSPENDED BY THE UNITED STATES AUTHORITIES ON MAY 1.

"AS STATED IN THE EMBASSY OF CANADA'S NOTE OF APRIL 26, THE GOVERNMENT OF CANADA HAS BEEN KEEPING UNDER REVIEW THE IMPLEMENTATION OF THE AGREEMENT, AND IN ADDITION
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TO THE SWIFTSURE BANK PROBLEMS, HAS NOTED SEVERAL OTHER DIFFICULTIES.

"IN PARTICULAR, THE GOVERNMENT OF CANADA IS SERIOUSLY CONCERNED ABOUT ACTIONS TAKEN BY THE UNITED STATES WITH RESPECT TO THE REGULATION OF FISHERIES FOR CERTAIN STOCKS IN THE GEORGES BANK/GULF OF MAINE AREA. IN REGARD TO HADDOCK IN SUBAREA 5 AND COD IN SUBDIVISION 5ZE, THE CANADIAN AUTHORITIES WISH TO REITERATE CONCERNS EXPRESSED TO U.S. OFFICIALS DURING 1977 THAT FISHERIES MANAGEMENT PLANS DEVELOPED BY U.S. AUTHORITIES FOR BOTH 1977 AND 1978 PERMIT FISHING BY UNITED STATES FISHERMEN WHICH RESULTS IN TOTAL CATCHES BY FISHERMEN OF BOTH COUNTRIES EXCEEDING LEVELS WHICH ARE JUDGED BY CANADIAN SCIENTISTS TO BE CONSISTENT WITH SOUND CONSERVATION. THE GOVERNMENT OF CANADA IS OF THE VIEW THAT BOTH UNITED STATES AND CANADIAN AUTHORITIES SHOULD REGULATE THEIR RESPECTIVE FISHERIES IN THE GEORGES BANK AREA SO THAT THEIR AGGREGATE CATCHES, INCLUDING THE RECREATIONAL CATCH, IN 1978 ARE MINIMIZED FOR HADDOCK IN SUBAREA 5 AND DO NOT EXCEED 30,000 METRIC TONS FOR COD IN SUBDIVISION 5ZE, IN ACCORDANCE WITH THE CONCLUSIONS REPORTED BY CANADIAN

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AND UNITED STATES SCIENTISTS AT A MEETING IN HALIFAX
ON NOVEMBER 1-4, 1977. IN THIS CONNECTION, THE GOVERN-
MENT OF CANADA HAS EXERTED ITS BEST EFFORTS TO CONTROL
THE CATCH OF THESE TWO SPECIES TO THAT AGREED (BEGIN
UNDERSCORE) AD REFERENDUM (END UNDERSCORE) WITHIN ICNAF
FOR 1977, AND HAS ALREADY TAKEN ACTION IN 1978 TO CLOSE
THE DIRECTED HADDOCK FISHERY TO MEET CONSERVATION REQUIRE-
MENTS.

"THE GOVERNMENT OF CANADA IS ESPECIALLY CONCERNED WITH
THE INCREASE IN UNITED STATES FISHING EFFORT AND CATCHES
OF SCALLOPS IN THE GEORGES BANK AREA AT A TIME WHEN
CANADA IS LIMITING BOTH THE NUMBER OF FISHING VESSELS
PERMITTED TO OPERATE IN THE FISHERY AND THE CATCHES
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EACH VESSEL MAY MAKE. IN CONSULTATIONS BETWEEN REGIONAL
OFFICIALS OF THE TWO GOVERNMENTS IN HALIFAX ON APR 21,
THE CANADIAN AUTHORITIES WERE PROVIDED WITH INFORMATION
INDICATING THAT THE U.S. SCALLOP FISHING EFFORT MORE
THAN DOUBLED FROM 1976 TO 1977 AND THAT THERE IS A
FURTHER INCREASE IN 1978. MOREOVER, AN INCREASING
PART OF THAT EFFORT IS BEING DEPLOYED IN THE NORTH-
EASTERN PORTION OF THE BANK. CANADA VIEWS THIS DEVIATION
FROM EXISTING PATTERNS AS INCONSISTENT WITH THE TERMS,
AS WELL AS WITH THE OBJECT AND PURPOSE, OF THE INTERIM
AGREEMENT. THUS IT IS BECOMING INCREASINGLY DIFFICULT
FOR CANADA TO RESTRAIN ITS FISHERMEN WHEN UNITED STATES
FISHERMEN OPERATE WITHOUT RESTRICTION. ATTENTION OF
THE UNITED STATES AUTHORITIES IS DRAWN TO THE REPORT
OF THE SCIENTISTS OF THE TWO COUNTRIES ON THEIR NOVEMBER
1-4 MEETING INDICATING THAT THE SCALLOP STOCKS WERE IN
DANGER OF BEING OVERFISHED AND SUGGESTING LEVELS OF
EFFORT BE REDUCED TO PROTECT THE STOCK. THE CANADIAN
GOVERNMENT IS CONCERNED THAT, IF IT IS FOUND NECESSARY
TO REMOVE LIMITS ON ITS CANADIAN FISHERY, THE INCREASED
CANADIAN AND U.S. FISHERIES WILL INEVITABLY LEAD TO A
SERIOUS DEPLETION OF THE STOCK. THE CANADIAN GOVERNMENT
THEREFORE REQUESTS THE GOVERNMENT OF THE UNITED STATES
TO CONSIDER IMMEDIATELY ADOPTING MEASURES IN ITS SCALLOP
FISHERY TO PARALLEL THOSE ADOPTED BY CANADA, CONSISTENT
WITH PRE-EXISTING FISHING PATTERNS AND THE URGENT
CONSERVATION NEEDS OF THE STOCK.

"THE GOVERNMENT OF CANADA IS ALSO CONCERNED ABOUT THE
LACK OF REGULATIONS RESPECTING THE U.S. FISHERMEN'S
CATCH OF POLLOCK IN SUBAREA 5 IN 1978. THE CANADIAN
AUTHORITIES NOTE THAT U.S. CATCHES IN 1977 RESULTED
IN THE AGGREGATE CATCHES BY BOTH COUNTRIES EXCEEDING
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THE 30,000 METRIC TON LIMIT AGREED UPON BY SCIENTISTS OF THE TWO COUNTRIES AS BEING THE MAXIMUM SUSTAINABLE YIELD. THE CANADIAN AUTHORITIES TAKE NOTE THAT AT THEIR MEETING OF NOVEMBER 1-4, 1977, CANADIAN AND U.S. SCIENTISTS CONCLUDED THAT THE STATUS OF THE POLLOCK STOCK HAS DETERIORATED AND THAT IN THE INTERESTS OF CONSERVATION THE CATCH IN 1978 SHOULD BE LOWER THAN 30,000 METRIC TONS. THE CANADIAN GOVERNMENT IS THEREFORE OF THE VIEW THAT THE UNITED STATES SHOULD URGENTLY ADOPT MEASURES TO ENSURE THAT ITS POLLOCK CATCH IS NOT IN EXCESS OF 9,000 METRIC TONS. FOR ITS PART, THE GOVERNMENT OF CANADA WOULD BE PREPARED TO LIMIT THE CANADIAN CATCH TO 20,975 METRIC TONS, IN ORDER TO PROVIDE AN AGGREGATE CATCH OF NOT MORE THAN 30,000 METRIC TONS. CANADA WOULD ALSO BE PREPARED TO CONSIDER TAKING EVEN MORE STRINGENT MEASURES IF THE UNITED STATES WERE PREPARED TO DO LIKEWISE.
"THE CANADIAN AUTHORITIES NOTE THAT U.S. FISHERIES FOR GROUNDFISH, PARTICULARLY ROCKFISH, IN THAT PART OF PMFC STATISTICAL AREA 3C OFF THE COAST OF WASHINGTON STATE, ARE ALSO OPERATING WITHOUT RESTRICTIONS, AND ARE CONCERNED ABOUT THE CONSERVATION IMPLICATIONS OF SUCH ACTIVITIES.

"GIVEN THE URGENCY OF THE SITUATION, AS OUTLINED IN THIS NOTE, THE GOVERNMENT OF CANADA PROPOSES THAT, IN VIEW OF THEIR ROLE IN IMPLEMENTING THE INTERIM AGREEMENT, THE SPECIAL NEGOTIATORS CONVENE A MEETING DURING THE WEEK OF MAY 8 TO REVIEW DIFFICULTIES AFFECTING THE AGREEMENT AND, IN PARTICULAR, TO CONSIDER MUTUALLY ACCEPTABLE DOMESTIC REGULATIONS.

"THE DEPARTMENT OF EXTERNAL AFFAIRS AVAILS ITSELF OF THIS OPPORTUNITY TO RENEW TO THE EMBASSY OF THE UNITED STATES THE ASSURANCES OF ITS HIGHEST CONSIDERATION.
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